

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AZUCENA VICTORIA GUILLEN,

Plaintiff,

- against -

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 12/4/19

Civil Action No.:  
1:18-cv-00315-PAE-DCF

**ORDER**

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The Court, having read the memorandum and affirmation of Charles E. Binder, attorney for

Plaintiff in the above entitled case, requesting an award of attorney's fees in accordance with 42  
*and the Court having also received the 11/6/19 letter submitted by counsel for*  
U.S.C. § 406(b), and upon all the supporting documents annexed thereto, *the Commissioner (Dkt. 23),*

**IT IS ORDERED** that attorney's fees in the amount of \$3,000.00, which represents less than 25% of the past due benefits awarded to Plaintiff, be remitted to Charles E. Binder, petitioner.

Upon receipt of this sum, counsel for Plaintiff is directed to remit to Plaintiff \$809.44, which represents the previously awarded Equal Access to Justice Act fees.

Nothing in this order will preclude Plaintiff's duly appointed representative(s) from requesting fees under 42 U.S.C. § 406(a) for time spent handling Plaintiff's case before the Social Security Administration, provided that the combined fees approved under 42 U.S.C. § 406(a) and § 406(b) does not exceed 25% of the past due benefits awarded to Plaintiff.

DATED: 12/4/19

Debra Freeman

*(This resolves  
Dkt. 20)*

DEBRA FREEMAN  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK